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LEE & HAYES PLLC
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MAR 31 2008

OFFICE OF PETITIONS

In re Application of	:	
Shum, et al.	:	
Application No. 09/560,828	:	DECISION ON
Filed: April 28, 2000	:	PETITION
Attorney Docket No. MS1-476US	:	

This is in response to the renewed petition to withdraw the holding of abandonment under 37 CFR 1.181, filed November 29, 2007.

The petition under 37 CFR 1.181 is **GRANTED**.

The above-identified application became abandoned for failure to timely file the issue fee in response to the Notice of Allowance, mailed January 14, 2003. This Notice set a statutory period for reply of three (3) months for issue fee transmittal. No issue having been received, the application became abandoned on April 15, 2003. The Office mailed a Notice of Abandonment on May 20, 2003. Applicants filed a petition to withdraw the holding of abandonment on June 20, 2003. However, the petition was dismissed in a decision mailed on October 1, 2007. The decision pointed out that petitioner did demonstrate that he timely responded to the Notice of Allowance on April 10, 2003, and included a proper authorization to charge the issue fee to his deposit account. However, the decision requested that petitioner show that sufficient funds were present in the deposit account for the date in question.

On renewed petition, petitioner has provided a Deposit Account Statement for April, 2003. The statement shows that at all times during the month, there was a sufficient balance in the account to charge the issue fee.

Given the basis for granting this petition, the \$1300 fee for the petition under 37 CFR 1.137(b) will be refunded to petitioner under separate cover.

The file is being forwarded to the Office of Patent Publication for processing into a patent.

Telephone inquiries related to this decision should be directed to the undersigned at 571-272-3207.

A handwritten signature in cursive script, appearing to read "Cliff Congo".

Cliff Congo
Petitions Attorney
Office of Petitions